



### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

DAHLEN et al.

Title:

USE OF B-TYPE NATRIURETIC

PEPTIDE AS A PROGNOSTIC

INDICATOR IN ACUTE **CORONARY SYNDROMES** 

Appl. No.:

09/835,298

Filing Date: 04/13/2001

Examiner:

**GABEL** 

Art Unit:

1641

# CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below. ATEL 2005 つどりてどれるられ

## INFORMATION DISCLOSURE STATEMENT **UNDER 37 CFR §1.56**

Mail Stop Amendment (IDS) Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of a document known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to

antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

### TIMING OF THE DISCLOSURE

The listed document is being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

### RELEVANCE OF EACH DOCUMENT

The document being submitted was cited on a PTO-892 by the Examiner assigned to related U.S. Application No. 10/225,082, filed August 20, 2002.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

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MODIFIED PTO/SB/08 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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|                                   | INFORMATI    | ON DISCLO  | SURE | Application Number     | 09/835,298  |  |  |
|                                   | STATEMEN     | T BY APPLI | CANT | Filing Date            | 04/13/2001  |  |  |
|                                   |              |            |      | First Named Inventor   | DAHLEN      |  |  |
| (use as many sheets as necessary) |              |            |      | Group Art Unit         | 1641        |  |  |
|                                   |              |            |      | Examiner Name GABEL    |             |  |  |
| Sheet                             | 1            | of         | 1    | Attorney Docket Number | 071949-5301 |  |  |

|                       |                          |                      |   | U.S. PATENT DOCUMENTS                              | ,                            |  |
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| Examiner<br>Initials* | <u></u>                  | U.S. Patent Document |   |  | Date of Publication of       | Pages, Columns, Lines,<br>Where Relevant |
|                       | Cite<br>No. <sup>1</sup> | Number               | Kind<br>Code <sup>2</sup> (if<br>known) | Name of Patentee or Applicant of<br>Cited Document | Cited Document<br>MM-DD-YYYY | Passages or Relevant<br>Figures Appear   |
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| Examiner Initials*       | Cite<br>No.1 | Foreign Patent Document  Office <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known) |  | Kind Code <sup>5</sup> | Name of Patentee or<br>Applicant of Cited Documents | Date of Publication of<br>Cited Document<br>MM-DD-YYYY | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear | T6           |
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|                       |   |   |  |  |

| Examiner<br>Signature | Date<br>Considered |  |
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>9</sup>Applicant is to place a check mark here if English language Translation is attached.

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| k .    |         | Include  |                 |                      |                | tinent Pages)    |                                       |  |
|        | U       | Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)  Harter et al., Caspase-3 activity is present in cerebrospinal fluid from patients with traumatic brain injury, Journal of Neuroimmunology 121 (2001) 76-78.   |                 |                      |                |                  |                                       |  |
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\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).) Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

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